

**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING
Tuesday, October 6, 2015 – 6:00 p.m.
Council Chambers, City Hall**

COUNCIL MEMBERS PRESENT

Mayor James Minster, Council Members Sallee Orr, Brent Strate, Wayne Smith, Bryan Benard and Russell Porter

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Police Chief Darin Parke, Fire Chief Cameron West, Parks and Public Works Director Jon Andersen, Finance Director Steve Liebersbach, and Recorder Leesa Kapetanov

CITIZENS PRESENT

Jim Pearce, George Garwood Jr., Jan Streifel, Jerry Cottrell, and Kelly Zaugg

I. OPENING CEREMONY

A. Call to Order

Mayor Minster called the meeting to order at 6:02 pm and called for a motion to convene.

Council Member Smith moved to convene as the South Ogden City Council, followed by a second from Council Member Benard. In a voice vote Council Members Smith, Strate, Orr, Benard and Porter all voted aye.

B. Prayer/Moment of Silence

The mayor invited everyone to participate in a moment of silence.

C. Pledge of Allegiance

Council Member Porter directed those present in the Pledge of Allegiance.

Mayor Minster then invited anyone who wished to comment to come forward, reminding them that no action would be taken on comments received that evening.

II. PUBLIC COMMENTS

Jerry Cottrell, 5765 S 1075 E – Mr. Cottrell commented that Glasmann Park was very well cared for and commended staff for the excellent job they had done.

Mr. Cottrell then said he had observed Judge Renstrom in action in the courtroom and had been very impressed with him. He was in favor of re-certifying the judge.

There were no other public comments.

III. RECOGNITION OF SCOUTS/STUDENTS PRESENT

No scouts or students were present at the meeting.

IV. CONSENT AGENDA

- A. Approval of September 1, 2015 Council Minutes
- B. Approval of September Warrants Register
- C. Ratify Setting Date for Public Hearing (October 6, 2015 at 6 pm or as soon as the agenda permits) to Receive and Consider Comments on Proposed Amendments to the Annexation Policy Plan, Adding Area 7
- D. Set Date For Public Hearing (October 20, 2015 at 6 pm or as soon as the agenda permits) To Receive and Consider Comments on Proposed Amendments to the FY2016 Budget

Mayor Minster read through the consent agenda and asked if there were any comments concerning them. Council Member Orr asked a question about the ratification. There were no other comments or questions.

The mayor called for a motion concerning the consent agenda.

Council Member Porter moved to approve the consent agenda. The motion was seconded by Council Member Smith. In a voice vote Council Members Smith, Orr, Porter, Benard and Strate all voted aye.

The consent agenda was approved.

Mayor Minster indicated it was time to enter into a public hearing and entertained a motion to do so.

Council Member Porter moved to leave council meeting and convene into a public hearing to receive comments on the proposed Annexation Plan. Council Member Benard seconded the motion. The voice vote was unanimous in favor of the motion.

V. PUBLIC HEARING

- A. To Receive and Consider Comments on the Proposed Annexation Policy Plan

The mayor invited anyone who wished to come forward and comment. No one came forward. He then called for a motion to close the public hearing.

Council Member Smith moved to close the public hearing and reconvene as the South Ogden City Council. The motion was seconded by Council Member Orr. All present voted aye.

VI. PRESENTATION

- A. Judge Renstrom – Re-Certification of Justice Court

City Manager Dixon explained the State required justice courts to re-certify every five years and said the judge was there as part of the re-certification process. He then introduced Judge Renstrom.

The Judge explained he was required to meet with the Council about the budget and issues of common concern. He said the City's court was a Level 2 court which required them to meet at least once a week; currently they were meeting twice. The court had met the

clerk requirements of a Level 2 court and he praised the clerks with whom he worked for their efficiency.

Judge Renstrom then said a goal of the court was to go paperless within the next year. They anticipated a 30% reduction in workload by doing so.

The Judge invited questions from the Council, and seeing none, he concluded his presentation.

Mayor Minster said it was a privilege to have Judge Renstrom with the City and thanked him for his work.

VII. DISCUSSION / ACTION ITEMS

A. Consideration of Ordinance 15-22 – Amending Title 10, Chapter 15 of the City Code Having to Do With Conditional Uses

City Manager Matt Dixon informed the Council that Planner Mark Vlasic was unable to be in attendance so Jan Streifel from Landmark Design was present to answer any questions the Council may have. He then reminded the Council this amendment was in response to their request that certain parts of the code be updated and come more in line with what they wanted. He reviewed some of the changes, pointing out that the proposed ordinance gave the power to revoke a conditional use to the Planning Commission, not the City Council as it was in the current ordinance.

The Council discussed the matter, with most of the members of the opinion that they would like to keep the authority to revoke a conditional use. They asked questions of staff concerning the process and the reasons a conditional use might be revoked. Council Member Orr asked what the negative impacts were of the Council making the decision rather than the Planning Commission. City Attorney Bradshaw said there could be political pressure concerning the decision and the Council needed to determine their tolerance both individually and collectively to the pressure. City Manager Dixon reminded the Council of their discussions during the past year concerning legislative, administrative and quasi-judicial actions. The revocation of a conditional use was a quasi-judicial action, thus the Council would only be able to consider facts in their decision. They would have to disregard any public clamor. City Attorney Bradshaw added that it was very challenging to separate the political from the facts when they held a hearing for revocation of a conditional use.

Council Member Benard pointed out that the Council had removed itself from the politics of the decision of granting conditional use permits and asked why they would want to inject themselves back into the process for the small piece of being able to revoke a permit. He said at first he had been in favor of the Council having a say in the matter, but as he thought more about it, he felt it was inconsistent with their previous discussions. The Planning Commission would also be more familiar with the conditions imposed for a conditional use permit, and would thus be more qualified to revoke the permit if necessary. He was now of the view that the City Council be entirely removed from the process so the political pressure would not come into play to make the decision. Council Member Smith agreed. Council Member Strate stated that residents expected the Council to be involved. Mayor Minster pointed out that the reason the conditional use ordinance had been rewritten was because of events of the past year; he felt the proposed ordinance should remain as is. Council Member Porter said he had changed his mind as well; the Council should be removed from the process. They had already been involved in the process by determining what were permitted uses and what were conditional uses.

City Attorney Bradshaw then reiterated the difficulty in separating facts from public clamor when making a decision. He said the reality was that the correct decision that needed to be made, i.e. based on the facts and the requirements set out in the code, would most likely be the opposite of what the public clamor was demanding.

Council Member Strate said the Council needed to make sure that the uses, both conditional and permitted, were what they wanted. Council Member Smith agreed; the Council had the legislative duty to fix something if they felt it wasn't right. Planner Jan Streifel said she felt the Council was correct in their reasoning and direction of thought. The Planning Commission, as the land use authority, should be the body that had the authority to deny, approve or revoke a conditional use. There was no more discussion. Mayor Minster called for a motion concerning Ordinance 15-22.

Council Member Porter moved to adopt Ordinance 15-22. The motion was seconded by Council Member Smith. The mayor asked if there were further discussion, and seeing none, he called the vote:

Council Member Porter-	Yes
Council Member Smith-	Yes
Council Member Strate-	Yes
Council Member Benard-	Yes
Council Member Orr-	Yes

Ordinance 15-22 was adopted.

B. Consideration of Ordinance 15-23 – Amending the South Ogden City Annexation Policy Plan by Adding Area 7

City Manager Dixon gave the background on the reasons for amending the Annexation Policy Plan. He also pointed out there were some challenges to providing services to Area 7, but the developer was fully aware of them and still wanted to pursue annexation. Council Member Smith expressed his concern for the protection of the water tanks which were very close to the area and asked that staff be diligent in making sure they would be safe. Council Member Strate confirmed that the City would have no financial obligations as far as providing services to the property. City Manager Dixon acknowledged that was the case. The Council asked some other questions specific to the property. Council Member Porter pointed out the questions would be appropriate if they were voting to annex the property, but they were only voting to add it to the policy plan. There was no more discussion. The mayor entertained a motion concerning the ordinance.

Council Member Strate moved to adopt Ordinance 15-23 amending the South Ogden City Annexation Policy Plan by adding Area 7. Council Member Benard seconded the motion. After determining there was no more discussion, Mayor Minster called the vote:

Council Member Strate-	Yes
Council Member Benard-	Yes
Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Smith-	Yes

The motion passed.

C. Consideration of Resolution 15-42 –Authorizing The Issuance And Sale Of South Ogden Sales Tax Revenue Refunding Bonds, Series 2015 In The Aggregate Principal Amount Not To Exceed \$6,350,000; And Related Matters

The mayor invited Finance Director Steve Liebersbach to come forward and comment on this agenda item.

Mr. Liebersbach explained this resolution authorized the issuance of the bonds and they anticipated closing on the bonds on October 13. He also said that recent changes in the market had been an advantage to the City.

Council Member Orr asked questions concerning interest rates on the bonds. Mr. Liebersbach answered the questions and pointed out that unlike most bonds which could only be re-financed once, these bonds would be able to be re-financed again; it was a win-win situation for the City. He also said that at the beginning of the bond re-financing process the savings to the City had been estimated at approximately \$360,000, but due to the changes in the market, the savings would now be just over \$400,000.

Mayor Minster called for a motion concerning Resolution 15-42.

Council Member Smith moved to adopt Resolution 15-42, followed by a second from Council Member Porter. The Mayor asked if there were further discussion. There were no further comments from the Council. Mayor Minster called the vote:

Council Member Smith-	Yes
Council Member Porter-	Yes
Council Member Orr-	Yes
Council Member Benard-	Yes
Council Member Strate-	Yes

Resolution 15-42 was adopted.

D. Consideration of Resolution 15-43 – Appointing Polling Judges for 2015 Municipal Election

City Manager Dixon explained that state law required appointing polling judges at least 15 days prior to a municipal election. This resolution would bring the City into compliance. Mayor Minster entertained a motion concerning the resolution.

Council Member Benard moved to adopt Resolution 15-43. Council Member Orr seconded the motion. Seeing no further discussion, the Mayor called the vote:

Council Member Benard-	Yes
Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Smith-	Yes
Council Member Strate-	Yes

The motion carried.

E. Consideration of Resolution 15-44 – Authorizing Re-Certification of the Justice Court

City Attorney Bradshaw noted that this resolution did not certify the judge; it re-certified the justice court. The judge had been elected and would stand for a certain amount of time. He also pointed out that if the resolution were not passed, the City would not have a justice court.

There was no further discussion. The mayor called for a motion.

Council Member Strate moved to adopt Resolution 15-44. The motion was seconded by Council Member Orr. There was no further discussion. The vote was called:

Council Member Strate-	Yes
-------------------------------	------------

Council Member Orr-	Yes
Council Member Porter-	Yes
Council Member Benard-	Yes
Council Member Smith-	Yes

Resolution 15-44 was adopted.

F. Discussion on Police Services Budget for FY2016

City Manager Dixon explained that Council Member Strate and others had requested this discussion because of recent media attention and concerns about police services and recruitment. Chief Parke, Mr. Liebersbach and himself had met several times and prepared a presentation (see Attachment A) to provide the Council with information on what they had already done to address the matter and some proposals on how to address it in the future.

Chief Parke began the presentation by pointing out the dramatic decline in police applications across the nation as well as here in Utah. He cited pension plans, public perception, pay, and professional opportunities as the main reasons for the decline. He then went into more detail concerning each reason. He informed the Council that South Ogden City's applications were down 85%-90%. He also pointed out the department had 7 officers resign since 2013, 5 vacancies since January of this year, and 3 officers currently testing with another department. He said the testing process involved in hiring new officers took approximately \$68,000 in employee hours and the FTO process cost the City approximately \$18,000.

City Manager Dixon then reviewed the recent changes to the salary administration guidelines. Staff had chosen several cities and districts with whom to benchmark in reviewing salaries and wages for police officers. Using the benchmarks, they had determined what the average market rate for each police officer position was. Mr. Dixon showed several charts showing where salaries and wages were and where staff was proposing they be increased in order to be competitive in the market. The council asked questions about the positions and their requirements, which Chief Parke answered. City Manager Dixon then turned the time to City Finance Director Steve Liebersbach. Mr. Liebersbach presented the Council with the actual dollar amounts the proposed wage increases would cost the City; the amounts were based on bringing each police officer in the department to 100% of the market average for the position. Council Member Smith asked that before they looked at the costs for the increased wages for FY2016, he would like to know where the City finished up financially in FY2015. Mr. Liebersbach said that based on the audit, the City had ended up \$300,000 in the black. He then went on to give the costs for the increased wages, saying he had calculated them on for the 8 months left in the fiscal year and had included the costs of the associated benefits. The cost to the City would be just under \$96,000; however, some money had already been budgeted for an increase, so the net amount came to just under \$75,000. The cost for a full year would cost the City \$144,000.

Council Member Strate asked several questions concerning post-retirement benefits and the costs to the City. He said he felt like the City needed to move on increasing the wages, but felt the money to pay for it should not come from increasing taxes. He would rather cut expenses in the City. Staff should be directed to come up with a plan to cut expenses to pay for the increases; in his view the budget was deficit spending already. They still needed to act now to increase wages.

City Manager Dixon said staff was looking for direction on what to prepare for the upcoming budget amendment. He also reminded the Council the City had ended FY2015 \$300,000 in revenues over expenditures. Should staff go ahead and prepare the amendment as per the recommendation? Council Member Strate said he was comfortable with moving

forward with the public hearing on the proposal. Council Member Porter said he was in favor of increasing pay for the officers, but more so for the MO's down to the PO1's. He also believed the City should be actively recruiting those just out of the academy. Council Member Smith said he was also in favor of moving forward with the public hearing as it would give him more time to think about the information that had been given. There was more discussion and question from the Council concerning what other cities were doing and where they were getting their funding.

City Manager Dixon then asked for a confirmation that staff should move forward with the proposal to bring wages to 100% of the market average. It was the consensus of the Council they should. City Manager Dixon commented that the Council and staff should be aware of the potential impacts to other departments this wage adjustment could make. Council Member Strate asked that staff provide information concerning the costs for post-employment benefits for the budget hearing.

VIII. DEPARTMENT DIRECTOR REPORTS

A. Parks and Public Works Director Jon Andersen – Project Updates

Mr. Andersen reported on several projects in the City:

38th Street – the concrete was 50% complete, and then the road base, asphalt and landscaping would be left. The contractor had run into problems with the previously installed storm drain; it wasn't deep enough and some areas had to be corrected. The project should be completed in the next few weeks.

Nature Park Restroom – the restroom had been installed and just needed the rock attached and a door put in place. They were waiting for the rock contractor to return from hunting and hoped to have the restroom completed in the next few weeks as well.

Sidewalk grants – two applications for grants for sidewalks had been submitted last Thursday. They hoped to know by next Council Meeting if they were being reviewed. The grants required the City to match 6.7% of the total cost.

Streetlights at 5875 S 850 E – the issue with the light was being addressed but the process for the warranty was taking time.

The Council asked several questions concerning other issues in the City they were aware of. Council Member Benard asked if plans for a sign at the intersection of Highway 89 and Harrison Boulevard had been made. City Manager Dixon said no money had been allocated for a sign. If the Council thought the sign was a priority, money would need to be allocated for it.

IX. REPORTS

- A. Mayor** – asked the Council what they wanted to do concerning the November 3 Council Meeting as it was on Election Day. The Council determined they would like to wait to see if there were important items that needed to be addressed before they cancelled it.

B. City Council Members

Council Member Benard – pointed out that he had noticed several campaign signs in violation of the City Ordinance. He suggested the candidates be reminded and police themselves.

Council Member Strate – informed the Council that the children who had been previously attending Club Heights Elementary would be attending the new Burch Creek Elementary when it was completed. He was worried for their safety in having to cross 40th Street to get to school and thought the City should make plans now for their safe crossing.

He then commented on code enforcement and the City's need to keep up on it. He also said it was odd that Glasmann Way had different speed limits. He knew the City had previously used a mirror on Glasmann to help with visibility, but it kept getting vandalized. He wondered if there was newer technology available to help the cars rather than have different speed limits.

He concluded by saying there were members of the community who were experts in sign ordinances and the City should use them to its advantage.

Council Member Smith – reported he would be having surgery in November and may miss some meetings.

Council Member Porter – nothing to report.

Council Member Orr – asked that the issue of food trucks be added to the survey on council priorities. She then reported that no incidents of West Nile Virus had been found among mosquitos tested in South Ogden.

She concluded by reminding everyone SOBA would be meeting tomorrow at noon.

C. **City Manager** – referred the Council to his staff report concerning happenings in the City.

D. **City Attorney Ken Bradshaw** – nothing to report.

City Recorder Leesa Kapetanov informed the Council ballots had been mailed and many residents had already received them. All registered voters in the City should receive a ballot by the end of the week.

Mayor Minster then indicated it was time to adjourn Council Meeting and move into a work session and entertained a motion to do so.

Council Member Porter moved to adjourn City Council Meeting and move into a work session, followed by a second from Council Member Smith. The vote was unanimous in favor of the motion.

The mayor then called a five minute break.

X. ADJOURN CITY COUNCIL MEETING AND CONVENE INTO WORK SESSION

A. Logo Concepts

The Council returned from the recess and began discussing the logo concepts presented by Jibe Media. City Manager Dixon reminded the Council of the information on brand discovery and what they should look for in a logo. He then invited the Council to have discussion.

Mayor Minster proposed the logo be the words "South Ogden" as it appeared on the water tanks. City Manager Dixon liked the words as well, but was concerned with the lack of graphic elements that could be used in different ways. For example, it would be difficult for the recreation department to customize the logo for their purposes.

The Council discussed the good and bad points of each proposed design and suggested some variations. City Manager Dixon asked for a vote from each council member on the logo they liked best, without any variations. Council Member Porter voted for the words "South Ogden" with the leaves. Council Member Orr preferred the circle logo with the

house. Council Member Benard liked the words "South Ogden" with the leaves but thought they should use both it and the logo shaped like a water tank. Mayor Minster preferred the "South Ogden" words as well, but with "Beautiful City of" added. Council Member Strate voted for the "South Ogden" words as well, but agreed with Council Member Benard concerning having a second one. Council Member Smith preferred the words "South Ogden" as well, but wanted to add a shadow to the letters. City Manager Dixon asked if those who wanted the "South Ogden" logo would prefer that elements from the tank logo be worked into it. They agreed they would. Several variations were discussed. Council Member Benard suggested some elements that could be used on the sign that would be put up at the intersection of Harrison Boulevard and Highway 89. City Manager Dixon asked Council Member Orr which logo she preferred next, seeing as hers was the only vote for the circle logo. She said she preferred the "South Ogden" one. City Manager Dixon said he would instruct Jibe Media to come up with a logo using the words "South Ogden" and incorporating any of the artwork from the tanks. There was no more discussion.


XI. ADJOURN

Mayor Minster called for a motion to adjourn the meeting.

Council Member Smith moved to adjourn, followed by a second from Council Member Porter. All present voted aye.

The meeting adjourned at 9:29 pm.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Council Meeting held Tuesday, October 6, 2015.


Leesa Kapetanov, City Recorder

Date Approved by the City Council _____ October 20, 2015 _____

Attachment A
Police Services Presentation

*South Ogden City

*South Ogden Police

Market conditions and the status of Policing
October, 2015

What is Going On?

*Influences: the 4Ps

Pay & Benefits

Pension

Public Perception

Professional Opportunities

*Pay- benefits

Primary influence at this time.

- Private sector
- Other Departments

*Pension- URS

Major consideration with current and potential officers

- 2009 Legislative changes
- Competition with other states
- Private sector pressures

*Public Perception

Due to national attention, pay, pension, and private sector options, people no longer desire to become Police Officers

* Perception- Applicants Nation Wide

- Applications for police vacancies are down 50% consistently.
- Tulsa, Oklahoma, down 45% over the past three years.
- NYPD, down 50%.
- LAPD, down 47%
- Fresno, CA. \$10,000.00 signing bonus with \$1,000.00 to officers who successfully recruit others.
- Houston PD \$5,000.00 signing bonus.
- SLC, WVC, UPD = 97 open positions, combine with CHPD and UHP = > 200 vacancies in Salt Lake Valley
- OPD application numbers have dropped 50%
- SOPD application numbers have dropped 85% to 90%

* Perception- Cadet Numbers

From 1990s to roughly 2008 Police Academy classes were full, applicants often waited three sessions to for an open seat.

In the past year classes have ran at 50% capacity, with some classes canceled.

Some satellite academies are considering shuttering due to no cadets.

Quality of cadets graduating has dropped substantially, with few able to complete department selection processes.

*Professional Opportunities

A final influence considered by current and potential officers is what professional opportunities an organization offers.

*Industry Response

- Organizations throughout the state are implementing strategies to retain and attract officers.
- 2014, Departments in Salt Lake Valley increased lateral hiring from other departments. They are aggressive, and successful in doing so. Keep who you have and take who you can.
- Some departments stand to lose over 30% of their officers to SLV.
- SOPD 18 years average experience
- Since 2013 SOPD has lost 7 officers, 5 (23%) since January 2015 to private industry or another department.
- Three SOPD officers (14%) currently testing with other departments. 2015 potential turnover of 37% to 50%.

*Hiring SOPD 2015

A testing cycle involves roughly \$68,000 in employee hours, followed by \$18,000 minimum in FTO employee hours.

SOPD: four selection/ testing processes January to September, 2015, and will begin another soon.

We have had 4 FTO cycles. One failed, two completed and one is ongoing.

SOPD receives 85% to 90% fewer applications than we have historically, 10 to 24 vs. 60 to 80.

About half are woefully unqualified, and only one or two complete the testing successfully.

SOPD, 2 recent job offers declined due to pay.

*Mr. Dixon

City Response:

Increased starting salary for police

Council approved adjustments to market survey

Conducted survey and identified needs

*Salary Administration Guidelines

*Amended in June 2015

*Designed to ensure we are competitive in how we compensate our employees

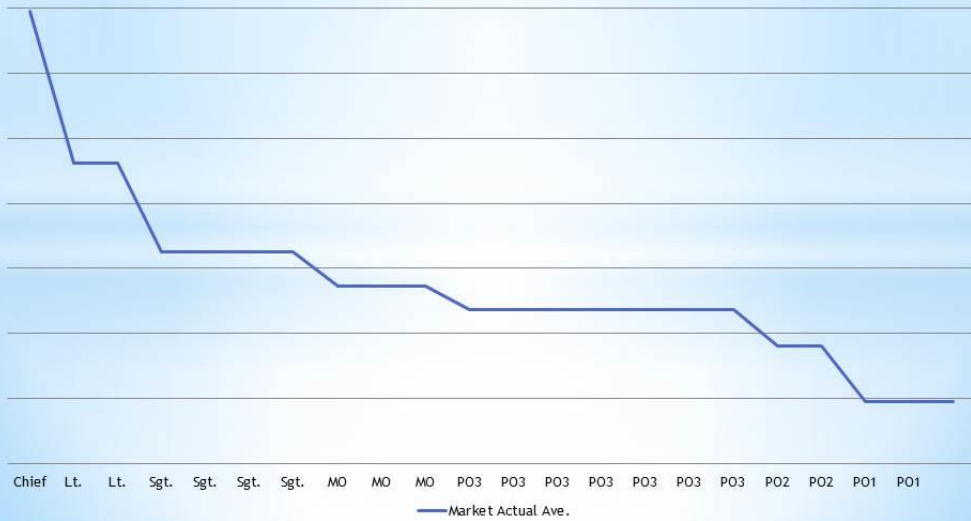
*Market-based pay structure

* External Benchmarks: Farmington, Kaysville, Layton, North Salt Lake, Ogden, Riverdale, Roy, South Salt Lake, Syracuse, Service Districts

* Actual Average and Range Midpoint data for each position is gathered and analyzed



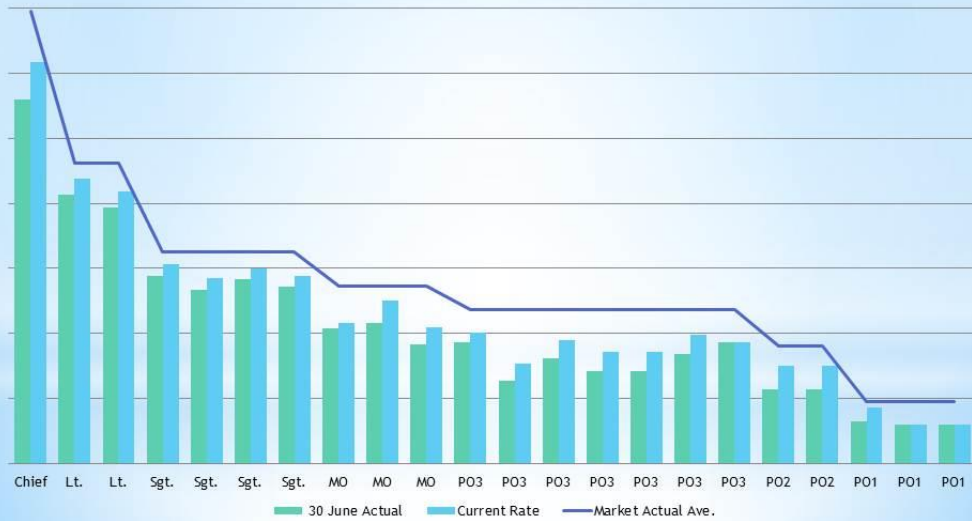
Police Department



Police Department

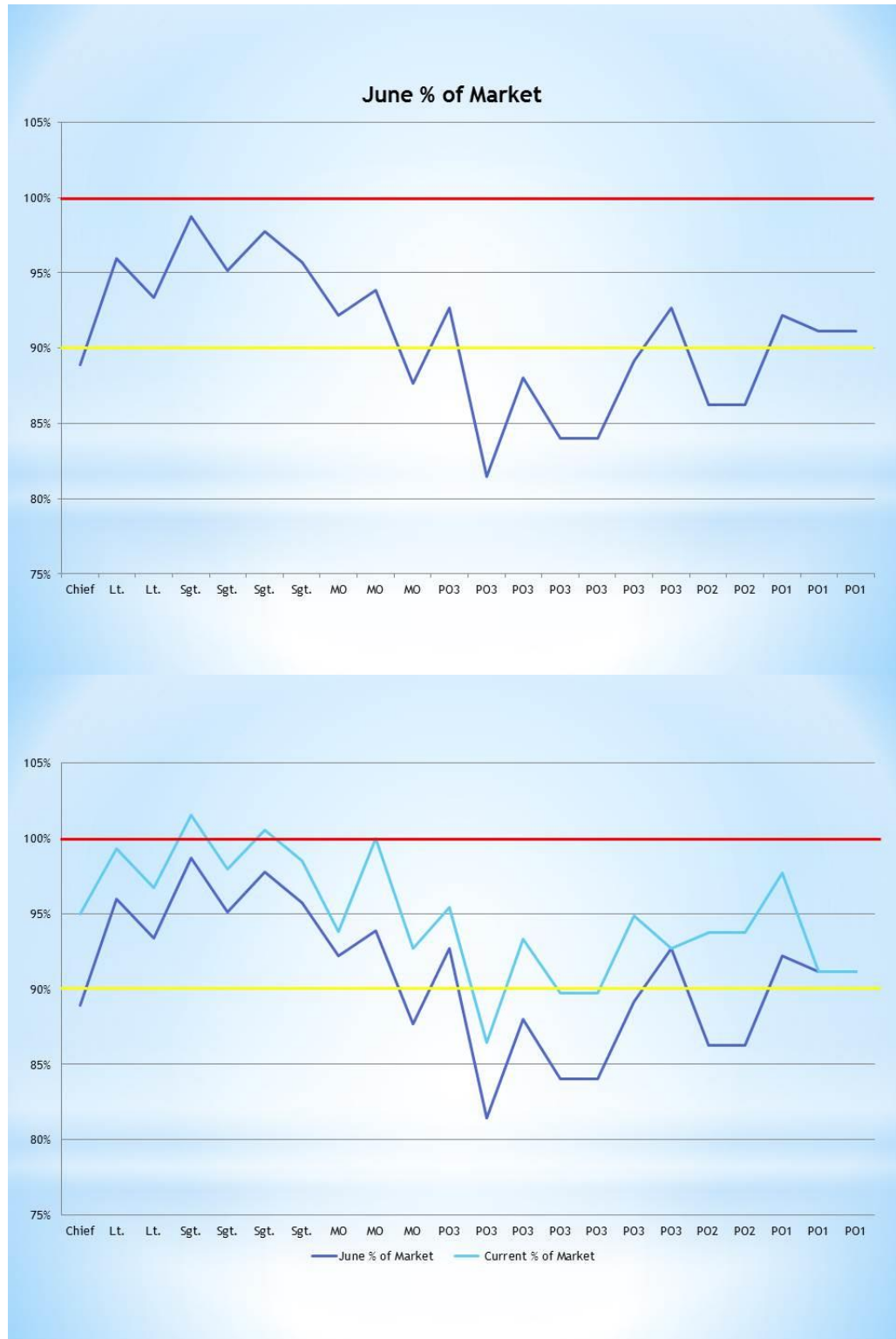


Police Department



Police Department







*Mr. Liebersbach

*Recommendations

National, State, and Local- recognize the situation, and the danger to society; take action.

National- Lead the country to a positive mindset toward police. Stop the vilifying of the profession.

State- {Local}- Correct the Utah Retirement System- years of service/ retirement percentage, return to work, inflation adjustment; national recommendation.

Local- 4Ps

SOC- Adjust SOPD to the FY 2016 market according to the Salary Survey.